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Colby, Wm.

Princeton University

P. Schorr, Daniel

Ex-C.I.A. Head For Penalizing Aides Who Leak Data

Special to The New York Times

PRINCETON, N.J., June 5—William E. Colby, the former director of Central Intelligence, proposed today that any restraints or penalties on the release of secret documents to the press should be placed on reporters are protected under federal officials instead of on the First Amendment.

"I think our intelligence needs the same sort of protection—and no more—that we accord to your income tax returns," Mr. Colby said. "If an internal Revenue man reveals our return, he commits a crime."

In explaining his proposal, Mr. Colby added: "It applies only to the individual who joined the intelligence service, not to Daniel Schorr or who ever got the agent to tell, be-cause Mr. Schorr and all other reporters are protected under the First Amendment."

Mr. Colby made his remarks at a round-table discussion on "The Ethics of Leaks: The Right to Withhold Versus the Right to Know," which was attended by seven journalists, including Mr. Schorr, the CBS-TV investigative reporter who gave The Village Voice a copy of the House Intelligence Committee's report on the C.I.A. The symposium was sponsored by The Daily Princetonian, the student newspaper at Princeton University, as one part of the alumni reunion festivities that have been going on here all weekend.

In discussing ways to eliminate unauthorized disclosures, Mr. Colby rejected the idea of an official secrets act with criminal penalties against the transfer of confidential information to nongovernmental personnel, such as reporters. "There are instead ways to implement the discipline of those who know the secrets," Mr. Schorr said he concurred with some of Mr. Colby's suggestions for preventing unauthorized disclosures. "It's the job of Government to keep secrets, and it's the job of the press to try to find out what's going on," Mr. Schorr said. "But once a journalist has a secret, there is no constitutional power for the Government to try to grab it back."

Mr. Schorr warned that "until we get back on an even course in this country and get away from Watergate, we will need a certain amount of whistle-blowing and leaking." He added:

"If our intelligence agencies, in a great and painful inquest, can cover up anything as they have done in the past, one way to be sure they will not in the future is to have a young man, who will leak and leave the salutary benefits of leaking to society."

Edward Barrett, director of the Communications Institute and former dean of the Columbia Journalism School, suggested that Mr. Colby's proposal be modified to include a bipartisan blue-ribbon appeals panel composed of citizens with security clearances.

"This should be an independent body that people like Daniel Ellsberg can appeal to if they feel information is being improperly withheld," Mr. Barrett explained. Daniel Ellsberg has said that he gave the "Pentagon Papers" to the press.

Jose Ferrer 3d, editor of the law section of Time magazine, disagreed with Mr. Colby's proposal.

"I'm not convinced that the depth of the problem calls for new laws," Mr. Ferrer said. "Watergate seems to point in the other direction. Legislation to push back to an era of greater secrecy is not now called for."

Others on the panel were William Attwood, the publisher of Newsday; William Ewing of Philadelphia, a lawyer; and Donald Oberdorfer, a national-affairs reporter for The Washington Post. John B. Oakes, editorial page editor of The New York Times, was the moderator.

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